

Exhibit 3

From: [Snyder, Cassandra M \(CIV\)](#)
To: [Carol Thompson](#); [Lou Michels](#); mike@mikeroselawfirm.com; [Ian Hargreaves](#); [Daisy Chung](#)
Cc: [Knapp, Cody T. \(CIV\)](#); [Drake, Beth \(USASC\)](#)
Subject: RE: Offer of Comirnaty
Date: Thursday, August 18, 2022 5:33:15 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hi Carol,

Thanks for your prompt response. As to your first question, the offer does apply equally to the Air Force plaintiffs. The *Doster* injunction does not affect whether class members may voluntarily choose to receive a vaccine. And just to reiterate, this offer does not constitute any sort of legally enforceable settlement.

As to your second question, we can provide your clients with Comirnaty-labelled vials if they wish to receive them. Of course, the specific vials provided may differ based on where and when they are able to receive the vaccine. If your clients are willing to receive a Comirnaty-labelled vaccine, we can discuss details with their respective commanders.

Thanks,
Cassie
(202) 451-7729

From: Carol Thompson <CThompson@fedpractice.com>
Sent: Thursday, August 18, 2022 3:10 PM
To: Snyder, Cassandra M (CIV) <Cassandra.M.Snyder@usdoj.gov>; Lou Michels <lmichels@fedpractice.com>; mike@mikeroselawfirm.com; Ian Hargreaves <IHargreaves@fedpractice.com>; Daisy Chung <DChung@fedpractice.com>
Cc: Knapp, Cody T. (CIV) <Cody.T.Knapp@usdoj.gov>; Drake, Beth (USASC) <BDrake@usa.doj.gov>
Subject: [EXTERNAL] RE: Offer of Comirnaty

Cassie,

Thank you for the email. A couple of comments and questions in response:

1. At this point, given that all of the Air Force Plaintiffs have submitted Religious Accommodation Requests and therefore are not currently required to take the vaccine under the preliminary injunction in *Doster*, the only Plaintiffs this would apply to are the Coast Guard and U.S. Military Academy Cadet Plaintiffs.
2. Before we can advise our Coast Guard and USMA clients on this matter, can you please provide:
 - a. A picture of the proposed vials with the lot numbers visible;
The manufacture location of the proposed vials; and

- b.
- c. The chain of custody for each proposed vial from the time they left the manufacturing facility to present.

Respectfully,

Carol Thompson



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From: Snyder, Cassandra M (CIV) <Cassandra.M.Snyder@usdoj.gov>

Sent: Thursday, August 18, 2022 10:00 AM

To: Carol Thompson <CThompson@fedpractice.com>; Lou Michels <lmichels@fedpractice.com>; mike@mikeroselawfirm.com; Ian Hargreaves <IHargreaves@fedpractice.com>; Daisy Chung <DChung@fedpractice.com>

Cc: Knapp, Cody T. (CIV) <Cody.T.Knapp@usdoj.gov>; Drake, Beth (USASC) <Beth.Drake@usdoj.gov>

Subject: Offer of Comirnaty

Hi Carol,

I am sending this email with instructions for any Plaintiff in this matter who would like to receive a Comirnaty-labeled vaccine. Defendants now have over 42,000 doses of Comirnaty-labeled vaccine. While it is the Defendants' position that EUA-authorized Pfizer-BioNTech doses for adults are interchangeable for the purposes of the military's vaccination requirement, I wanted to confirm that any of the Plaintiffs who are still required to receive the COVID-19 vaccine to satisfy the military's requirement may receive a shot from a Comirnaty-labelled vial.

If any of the Plaintiffs wish to do so, please prepare a memorandum addressed to the individual's commanding officer committing to taking a shot from a Comirnaty-labeled vial. Please provide the memorandum to me and I will ensure the request is appropriately transmitted to the respective

commanding officer. Should any Plaintiff confirm in writing that they will take a Comirnaty-labeled dose, Defendants can ensure that Plaintiff will be administered one of those doses. If no Plaintiff is interested, please let us know that as well. This is not intended as an offer of settlement and we anticipate informing the Court of the offer and any response.

Thanks,
Cassie

Cassie Snyder

Trial Attorney

United States Department of Justice

Civil Division | Federal Programs Branch

Phone: (202) 451-7729